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**NAACP LEGAL DEFENSE &
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

GEORGE MANDALA and CHARLES
BARNETT, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

NTT DATA, INC.,

Defendant.

Case No. 18 Civ. 6591 (CJS)

PLAINTIFFS' NOTICE OF MOTION TO COMPEL RULE 26(f) CONFERENCE

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure and the reasons set forth in Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion to Compel Rule 26(f) Conference and the Declaration of Christopher McNerney and the exhibits attached thereto, Plaintiffs George Mandala and Charles Barnett ("Plaintiffs"), by and through their attorneys, Outten & Golden LLP and the NAACP Legal Defense and Educational Fund, Inc., respectfully move the Court, at a date and time to be determined by the Court, for an Order compelling Defendant NTT Data, Inc. ("NTT") to take the first step in discovery and engage in the planning process mandated by Rule 26(f).

PLEASE TAKE FURTHER NOTICE that, in accordance with Local Rule of Civil Procedure 7(a), Plaintiffs intend to file and serve reply papers, and in accordance with Local

Rule of Civil Procedure 7(b), if the Court does not set deadlines by order, any opposing party shall have 14 days after service of the motion to file and serve responding papers, and Plaintiffs shall have 7 days after the service of responding papers to file and serve reply papers.

Dated: April 26, 2019
New York, New York

Respectfully submitted,

By: /s/ Ossai Miazad
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